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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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173	7590	01/20/2010	EXAMINER	
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ST. JOSEPH, MI 49085			ART UNIT	PAPER NUMBER
			3637	
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			01/20/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/599,900	BETTO ET AL.	
	Examiner	Art Unit	
	ANDRES GALLEG	3637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 04 November 2009.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 20,22-37 and 40-50 is/are pending in the application.
 4a) Of the above claim(s) 33-37,46 and 47 is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 20,22-32,40-45 and 48-50 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 12 October 2006 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>11/4/2009</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application
	6) <input type="checkbox"/> Other: _____ .

DETAILED ACTION

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character “11” has been used to designate both a wall (Figure 3) and an upper panel (Figures 4 and 5, but designated as “18” in Figure 1, and Page 7 Line 4 of the Specification). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 50 and 48 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding the limitations "with the at least two U-shaped modules arranged vertically", and "wherein the first profile bar is mounted to one of the U-shaped modules, the second profile bar is mounted to the other of the U-shaped modules and the two U-shaped modules are mounted to each other by the profiled guide being slidably received within the counter-guide" in claim 50, applicant does not clearly define the metes and bounds of the claimed invention.

Regarding the limitations "the reversible connector couples the at least two U-shaped modules to the intermediate closure wall" in claim 48, applicant does not clearly define the metes and bounds of the claimed invention.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 49 and 22-25, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Haag et al. (US 4006947) in view of Paolucci (US 5211292).

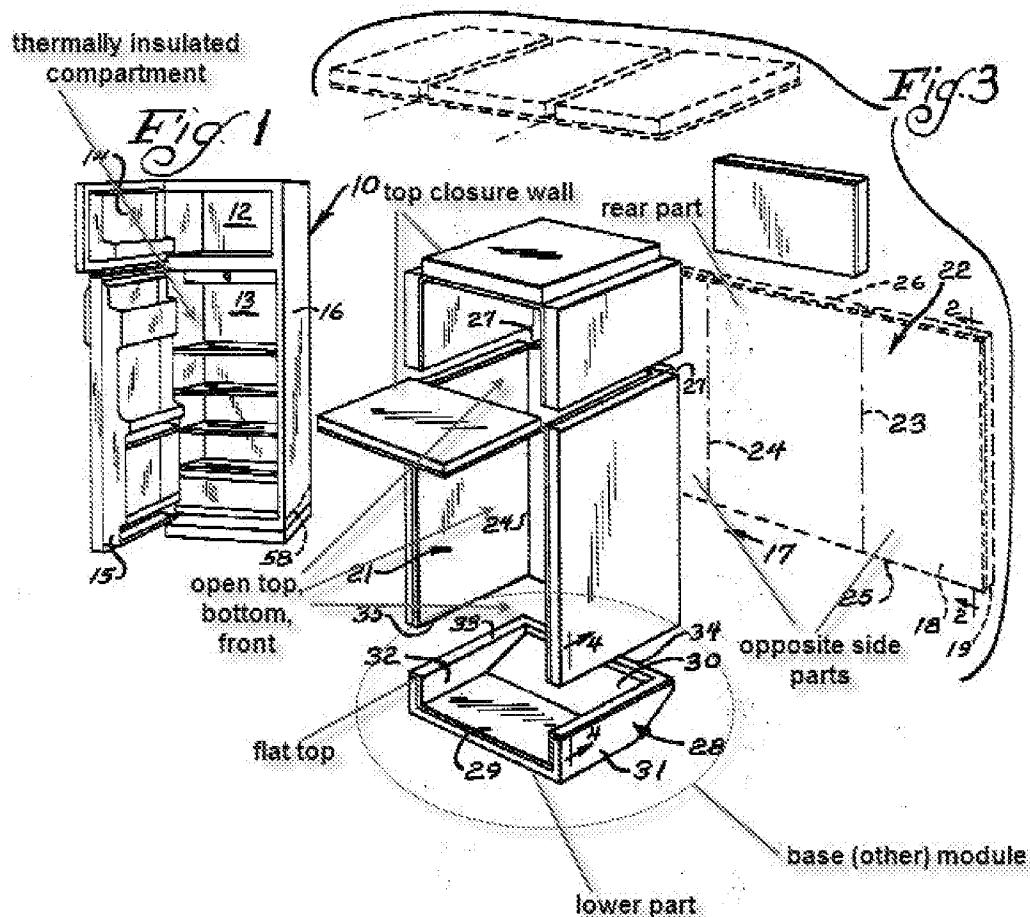
Regarding claim 49, Haag discloses a modular refrigeration and freezer appliance (10) comprising a U-shaped module (21) having a rear part (see annotated Figure 3) connected to a pair of opposing side parts (see annotated Figure 3) and an open top, bottom, and front (see annotated Figure 3); a top closure wall (see annotated Figure 3) closing the top open of the U-shaped module (Figure 3); a bottom closure wall

(29) closing the open bottom of the U-shaped module; a door (15) adapted to selectively close the open front of the U-shaped module, wherein the U-shaped module, the top closure wall, the bottom closure wall, and the door define a thermally insulated compartment (see annotated Figure 1); and a reversible connector (49).

Haag does not disclose the reversible connector comprising a first profile bar and a second profile bar, with one of the first profile bar and second profile bar having a profiled guide and the other of the first profile bar and second profile bar having a counter-guide slidably receiving the profiled guide; wherein the first profile bar is mounted to the U-shaped portion, the second profile bar is mounted to one of the top closure and bottom closure, and the one of the top closure and bottom closure being mounted to the U-shaped portion by the profiled guide being slidably received within the counter-guide.

Paolucci teaches a reversible connector (22) comprising a first profile bar (56) and a second profile bar (38), with the first profile bar having a profiled guide (54) and the second profile bar having a counter guide (52) slidably receiving the profiled guide as shown in Figures 2-4. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the reversible connector of Haag by mounting the reversible connector as taught by Paolucci, with the first profile bar being mounted to the bottom of the U-shaped portion of Haag, and the second profile bar being mounted to the bottom closure, and the bottom closure being mounted to the U-shaped portion by the profiled guide being slidably received within the counter-guide,

since such a modification would allow for a more secure connection between the bottom closure and the U-shaped module, while still being removable.



Haag et al. (US 2514631) - Figures 1 and 3

Regarding claim 22, Haag, modified by Paolucci, discloses the claimed invention except for the glide comprising an inverted double L shape. Paolucci teaches the glide (54) comprising an inverted double L shape as shown in Figure 3. It would have been obvious to one having ordinary skill in the art at the time the invention was made to

modify the reversible connector of Haag, modified by Paolucci, by mounting a reversible connector having a glide comprising an inverted double L shape as taught by Paolucci, since such a modification would provide a more secure connection between the U-shaped module and the other module.

Regarding claim 23, Haag, modified by Paolucci, discloses the claimed invention except for the counter-glide comprising a T shape. Paolucci teaches the counter-glide (52) comprising a T shape as shown in Figure 3. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the reversible connector of Haag, modified by Paolucci, by mounting a reversible connector having a counter-glide comprising a T shape as taught by Paolucci, since such a modification would provide a more secure connection between the U-shaped module and the other module.

Regarding claim 24, Haag, modified by Paolucci, discloses the appliance (10) wherein the at least one other module comprises the bottom closure wall (29), and a base module (28).

Regarding claim 25, Haag, modified by Paolucci, discloses the appliance (10) wherein the at least one other module comprises the base module (28) having a lower part (see annotated Figure 3) and a pair of parallel lateral walls (31, 32) extending perpendicularly from the lower part and having a flat top (see annotated Figure 3) with a portion of the reversible connector (49) (Figure 3).

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Haag in view Paolucci, and in further view of Irmer (US 6657861).

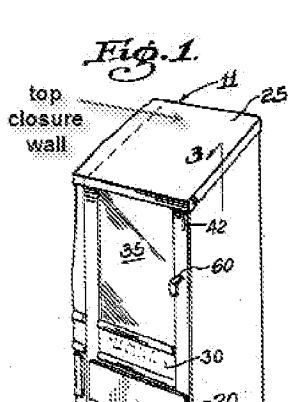
Regarding claim 20, Haag, modified by Paolucci, discloses the claimed invention except for one of the top and bottom closure walls comprising horizontal flat panels provided with an opening which enable energy, cables, pipes, liquid, and gases to pass. Irmer teaches a bottom closure wall (8) comprising a horizontal flat panel (31) provided with an opening (17) capable of enabling energy, cables, pipes, liquids, and gases to pass as shown in Figures 1, 6a, and 7. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the bottom closure wall of Haag, modified by Paolucci, by mounting a horizontal flat panel and opening as taught by Irmer, since such a modification would allow passage from one compartment to the next via the closure walls.

Claims 26, 27, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haag in view of Paolucci, and in further view of R.E. Elvers (US 2514631) and H.E. Smith (US 3038769).

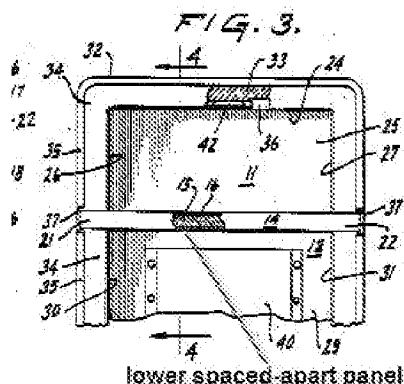
Regarding claim 26, Haag, modified by Paolucci, does not disclose at least one of the top and bottom closure walls comprising a U-shaped profile bar and at least two spaced-apart panels, wherein the U-shaped profile bar and the panels define a compartment containing insulating material.

Elvers teaches top closure wall (see annotated Figure 1) comprising a U-shaped profile bar (19) as shown in Figure 2. It would have been obvious to one having ordinary

skill in the art at the time the invention was made to modify the top closure wall of Haag, modified by Paolucci, by mounting a U-shaped profile bar between the U-shaped module and the top closure wall as taught by Elvers, since such a modification would provide a more secure connection between the U-shaped module and the top closure wall.



Elvers (US 2514631) - Figure 1



Smith (US 3038769) - Figure 3

Smith teaches a top closure wall (14) comprising two spaced-apart panels (16, see annotated Figure 3) as shown in Figures 1-5, which when combined with the U-shaped profile bar of Elvers, the panels define a compartment containing insulating material (15). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the top closure wall of Haag, modified by Paolucci and Elvers, by mounting two spaced apart panels with insulation as taught by Smith, since such a modification would help keep the compartment to the U-shaped module better insulated.

Regarding claim 27, Haag, modified by Paolucci, discloses the claimed invention except for the U-shaped profile bar comprising guide slots that receive the panels.

Elvers teaches the U-shaped profile bar (19) comprising guided slots (24) that receive panels (25) as shown in Figures 1-3a. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the top closure wall of Haag, modified by Paolucci, by mounting a U-shaped profile bar with guided slots as taught by Elvers, since such a modification would provide a more secure connection between the U-shaped module and the top closure wall.

Regarding claim 29, Haag, modified by Paolucci, discloses the claimed invention except for the top closure wall comprising a U-shaped profile bar coupled to a lower panel and an upper panel, wherein the U-shaped profile bar and the upper and lower panels define a compartment containing insulating material, and the upper panel comprising a connector for connection to the U-shaped profile bar.

Elvers teaches a top closure wall (see annotated Figure 1) comprising a U-shaped profile bar (19) coupled to an upper panel (25) comprising a connector (24a) for connection to the U-shaped profile bar as shown in Figures 1-3a. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the top closure wall of Haag, modified by Paolucci, by mounting a U-shaped profile bar coupled to an upper panel as taught by Elvers, since such a modification would provide a more secure connection between the U-shaped module and the top closure wall.

Smith teaches a top closure wall (14) comprising an upper (16) and lower panel (see annotated Figure 3) as shown in Figures 1-5, which when combined with the U-shaped profile bar of Elvers, the panels define a compartment containing insulating

material (15). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the top closure wall of Haag, modified by Paolucci and Elvers, by mounting a lower panel with insulation as taught by Smith, since such a modification would help keep the compartment to the U-shaped module better insulated.

Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Haag in view of Paolucci, and in further view of Wolf et al. (US 6485122).

Regarding claim 28, Haag, modified by Paolucci, discloses the appliance (10) wherein the U-shaped module (21) comprises a pair of spaced-apart plate-like parts (18,20) defining a compartment for insulating material (19).

Haag, modified by Paolucci, does not disclose the spaced-apart plate-like parts received by seats in the top and bottom closure walls to define a compartment for insulating material. Wolf teaches spaced-apart plate-like parts (15,16) received by seats (26,34) in a closure wall (11) to define a compartment for insulating material (18) as shown in Figures 1 and 2, the seats capable of being in a top and bottom closure wall. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the U-shaped module and the top and bottom closure walls of Haag, modified by Paolucci, by mounting seats along the surfaces of the closure walls that contact the U-shaped module as taught by Wolf, since such a modification would provide a more secure connection between the U-shaped module and the top and bottom closure walls.

Claim 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haag in view of Paolucci, and in further view of Gidseg et al. (US 4774740).

Regarding claim 30, Haag, modified by Paolucci, does not disclose the at least one other module comprising a seat and a hinge module removably received in the seat, wherein the seat and the hinge module comprise cooperating couplers. Gidseg teaches a module (16) comprising a seat (64) and a hinge module (70) removably received in the seat (Figures 9 and 10), wherein the seat and the hinge module comprise cooperative couplers (80) as shown in Figures 9 and 10. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the other module (base module: 28) of Haag, modified by Paolucci, by mounting a seat and hinge module with cooperating couplers as taught by Gidseg, since such a modification would allow for a removable door to be placed to close off the front opening of the refrigeration appliance.

Regarding claim 31, Haag, modified by Paolucci, does not disclose the cooperating couplers comprising dovetail-shaped guides. Gidseg teaches the cooperating couplers (80) comprising dovetail-shaped guides (74, 78, 90, 66) as shown in Figures 9 and 10. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the other module of Haag, modified by Paolucci, by mounting a seat and hinge module with dovetail-shaped cooperating couplers as taught by Gidseg, since such a modification would ensure a snug fit between the couplers and the seat and hinge module configuration.

Regarding claim 32, Haag, modified by Paolucci, does not disclose the door comprising a hinge pin, and the hinge module including holes to receive the hinge pin. Gidseg teaches a door (14) comprising a hinge pin (96) and the hinge module (70) including holes (74, 66) to receive the hinge pin as shown in Figures 9 and 10. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the door (15) of Haag, modified by Paolucci, by mounting a hinge pin via holes in a hinge module as taught by Gidseg, since such a modification would allow for the door to rotate about the hinge pin when installed into the hinge module.

Claims 50 and 48, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Haag in view of Paolucci and Schellenberg (US 2005/0077806).

Regarding claim 50, Haag discloses a modular refrigeration and freezer appliance (10) comprising a U-shaped module (21) having a rear part (see annotated Figure 3) connected to a pair of opposing side parts (see annotated Figure 3) and an open top, bottom, and front (see annotated Figure 3); a top closure wall (see annotated Figure 3) closing the top open of the U-shaped module (Figure 3); a bottom closure wall (29) closing the open bottom of the U-shaped module; a door (15) adapted to selectively close the open front of the U-shaped module, wherein the U-shaped module, the top closure wall, the bottom closure wall, and the door define a thermally insulated compartment (see annotated Figure 1); and a reversible connector (49).

Haag does not disclose at least two U-shaped modules arranged vertically, with a top closure wall closing the open top of the uppermost U-shaped module; a bottom closure wall closing the open bottom of the bottommost U-shaped module, or the reversible connector comprising a first profile bar and a second profile bar, with one of the first profile bar and second profile bar having a profiled guide and the other of the first profile bar and second profile bar having a counter-guide slidably receiving the profiled guide; wherein the first profile bar is mounted to one of the U-shaped modules, the second profile bar is mounted to the other of the U-shaped modules, and the two U-shaped modules are mounted to each other by the profiled guide being slidably received within the counter-guide.

Schellenberg teaches at least two U-shaped modules (13,14), with a top closure wall (12) closing the open top of the uppermost U-shaped module (14), a bottom closure wall (10) closing the open bottom of the bottommost U-shaped module (13) as shown in Figures 1-3. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the U-shaped module and reversible connector of Haag by mounting two vertically stacked U-shaped modules with an additional reversible connector between the modules as taught by Schellenberg, since such a modification would provide the option of having separate compartments within the interior space of the refrigeration appliance.

Paolucci teaches two modules (14) arranged vertically, a reversible connector (22) comprising a first profile bar (56) and a second profile bar (38), with the first profile bar having a profiled guide (54) and the second profile bar having a counter guide (52)

slidably receiving the profiled guide as shown in Figures 2-4. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the U-shaped module of Haag by mounting two modules arranged vertically with a reversible connector as taught by Paolucci, with the first profile bar being mounted to the bottom of the upper module of Haag and the second profile bar being mounted to the top of the lower module, and the two modules being mounted to each other by the profiled guide being slidably received within the counter-guide, since such a modification would allow for a more space within the refrigerator.

Schellenberg teaches at least two U-shaped modules (13,14), with a top closure wall (12) closing the open top of the uppermost U-shaped module (14), a bottom closure wall (10) closing the open bottom of the bottommost U-shaped module (13) as shown in Figures 1-3. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the U-shaped module of Haag, modified by Paolucci, by mounting two vertically stacked U-shaped modules with an additional reversible connector between the modules as taught by Schellenberg, since such a modification would provide the option of having separate compartments within the interior space of the refrigeration appliance.

Regarding claim 40, Haag, modified by Paolucci and Schellenberg, discloses the claimed invention except for the glide comprising an inverted double L shape. Paolucci teaches the guide (54) comprising an inverted double L shape as shown in Figure 3. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the reversible connector of Haag, modified by Paolucci and

Schellenberger, by mounting a reversible connector having a glide comprising an inverted double L shape as taught by Paolucci, since such a modification would provide a more secure connection between the U-shaped module and the other module.

Regarding claim 41, Haag, modified by Paolucci and Schellenberg, discloses the claimed invention except for the counter-glide comprising a T shape. Paolucci teaches the counter-glide (52) comprising a T shape as shown in Figure 3. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the reversible connector of Haag, modified by Paolucci and Schellenberg, by mounting a reversible connector having a counter-glide comprising a T shape as taught by Paolucci, since such a modification would provide a more secure connection between the U-shaped module and the other module.

Regarding claim 48, Haag, modified by Paolucci and Schellenberg, discloses the claimed invention except for an intermediate closure wall between the at least two U-shaped modules, and the reversible connector coupling the at least two U-shaped modules to the closure intermediate closure wall. Paolucci teaches an intermediate closure wall (28) between the two modules (14), and the reversible connector (22) coupling the two modules to the closure wall as shown in Figure 3. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the U-shaped module of Haag, modified by Paolucci and Schellenberg, by mounting an intermediate closure wall between two modules as taught by Paolucci, since such a modification would provide the option of having separate compartments within the interior space of the refrigeration appliance.

Claims 42, 43, and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haag in view of Paolucci, Schellenberg, and in further view of R.E. Elvers and H.E. Smith.

Regarding claim 42, Haag, modified by Paolucci and Schellenberg, does not disclose at least one of the top and bottom closure walls comprising a U-shaped profile bar and at least two spaced-apart panels, wherein the U-shaped profile bar and the panels define a compartment containing insulating material.

Elvers teaches top closure wall (see annotated Figure 1) comprising a U-shaped profile bar (19) as shown in Figure 2. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the top closure wall of Haag, modified by Paolucci and Schellenberg, by mounting a U-shaped profile bar between the U-shaped module and the top closure wall as taught by Elvers, since such a modification would provide a more secure connection between the top U-shaped module and the top closure wall.

Smith teaches a top closure wall (14) comprising two spaced-apart panels (16, see annotated Figure 3) as shown in Figures 1-5, which when combined with the U-shaped profile bar of Elvers, the panels define a compartment containing insulating material (15). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the top closure wall of Haag, modified by Paolucci, Schellenberg and Elvers, by mounting two spaced apart panels with insulation

as taught by Smith, since such a modification would help keep the compartment to the U-shaped modules better insulated.

Regarding claim 43, Haag, modified by Paolucci and Schellenberg, discloses the claimed invention except for the U-shaped profile bar comprising guide slots that receive the panels. Elvers teaches the U-shaped profile bar (19) comprising guided slots (24) that receive panels (25) as shown in Figures 1-3a. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the top closure wall of Haag, modified by Paolucci and Schellenberg, by mounting a U-shaped profile bar with guided slots as taught by Elvers, since such a modification would provide a more secure connection between the U-shaped module and the top closure wall.

Regarding claim 45, Haag, modified by Paolucci and Schellenberg, does not disclose the top closure wall comprising a U-shaped profile bar coupled to a lower panel and an upper panel, wherein the U-shaped profile bar and the upper and lower panels define a compartment containing insulating material, and the upper panel comprising a connector for connection to the U-shaped profile bar.

Elvers teaches top closure wall (see annotated Figure 1) comprising a U-shaped profile bar (19) coupled to an upper panel (25) comprising a connector (24a) for connection to the U-shaped profile bar as shown in Figures 1-3a. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the top closure wall of Haag, modified by Paolucci and Schellenberg, by mounting a U-shaped profile bar coupled to an upper panel as taught by Elvers, since

such a modification would provide a more secure connection between the top U-shaped module and the top closure wall.

Smith teaches a top closure wall (14) comprising an upper (16) and lower panel (see annotated Figure 3) as shown in Figures 1-5, which when combined with the U-shaped profile bar of Elvers, the panels define a compartment containing insulating material (15). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the top closure wall of Haag, modified by Paolucci, Schellenberg and Elvers, by mounting a lower panel with insulation as taught by Smith, since such a modification would help keep the compartment to the U-shaped modules better insulated.

Claim 44 is rejected under 35 U.S.C. 103(a) as being unpatentable over Haag in view of Paolucci and Schellenberg, and in further view of Wolf et al. (US 6485122).

Regarding claim 44, Haag, modified by Paolucci and Schellenberg, discloses the appliance (10) wherein the U-shaped modules (21) comprise a pair of spaced-apart plate-like parts (18,20) defining a compartment for insulating material (19).

Haag, modified by Paolucci and Schellenberg, does not disclose the spaced-apart plate-like parts received by seats in the top and bottom closure walls to define a compartment for insulating material. Wolf teaches spaced-apart plate-like parts (15,16) received by seats (26,34) in a closure wall (11) to define a compartment for insulating material (18) as shown in Figures 1 and 2, the seats capable of being in a top and bottom closure wall. It would have been obvious to one having ordinary skill in the art at

the time the invention was made to modify the U-shaped modules and the top and bottom closure walls of Haag, modified by Paolucci and Schellenberg, by mounting seats along the surfaces of the closure walls that contact the U-shaped module as taught by Wolf, since such a modification would provide a more secure connection between the U-shaped module and the top and bottom closure walls.

Response to Arguments

Applicant's arguments with respect to claims 49 and 50 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANDRES GALLEGOS whose telephone number is

(571)270-7630. The examiner can normally be reached on Monday - Friday, 7:30 AM - 5:00 PM EST (Every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. Allen Shriver can be reached on 571-272-6698. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. ALLEN SHRIVER II/
Supervisory Patent Examiner, Art Unit 3632

/ANDRES GALLEGOS/
Examiner, Art Unit 3637
1/15/10